

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Presubscribed Interexchange Carrier Charges

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CC Docket No. 02-53

**COMMENTS OF ACUTA: THE ASSOCIATION FOR COMMUNICATIONS
TECHNOLOGY PROFESSIONALS IN HIGHER EDUCATION**

I. ACUTA REITERATES ITS JUNE 2002 COMMENTS, THAT THE PIC CHANGE CHARGE SAFE HARBOR OF \$5.00 IS UNREASONABLY HIGH FOR END USERS AND SHOULD BE REDUCED, AND RELIEF SHOULD BE PROVIDED FOR CENTREX CUSTOMERS.

ACUTA: The Association for Communications Technology Professionals in Higher Education is a non-profit association whose members include over 780 colleges and universities throughout the United States, Canada, and other countries. ACUTA members include both large and small non-profit institutions of higher education, ranging from several hundred students to major research and teaching institutions with greater than 25,000 students. ACUTA member representatives have primary responsibility for managing telecommunications services on college and university campuses.

As primarily nonprofit organizations, ACUTA members have an important goal of controlling and minimizing costs to institutions and their students.

College and university campuses may incur Presubscribed Interexchange Carrier (PIC) change charges when changing presubscribed interexchange carriers for the lines assigned to students, faculty and staff. The number of lines utilized by a college or university can range from several hundred to many thousands, depending upon the size of the institution. PIC change charges are, therefore, a significant issue for our members.

In June 2002, ACUTA commented on the Commission's rulemaking proceeding to examine PIC change charges. At that time, ACUTA urged the commission to significantly

reduce the “safe harbor” charge from its current level of \$5.00. In addition, we urged the commission to provide relief to Centrex customers by assessing PIC change charges based on the number of trunks they utilize, rather than the number of individual Centrex lines.

ACUTA continues to support and urge the commission to take action on these two recommendations.

II. THE COMMISSION SHOULD NOT ADOPT A TWO-TIERED SYSTEM FOR AUTOMATED AND MANUAL PIC CHANGES, BECAUSE IT WOULD BE CONFUSING FOR CONSUMERS AND WOULD CREATE A DISINCENTIVE FOR CARRIERS TO AUTOMATE THE SYSTEM.

In its FNPRM on this matter, the Commission seeks comment on BellSouth’s request to increase its PIC change charge from \$1.49 to \$3.07 per change. Bellsouth’s tariff filing states that the percentage of manual processing of PIC changes has increased in recent years, and that the cost of manual changes is greater than electronic change processing.

ACUTA does not support the creation of a two-tiered system that would create differing “safe harbors” for electronic and manual PIC changes. We believe that a two-tiered system would be overly complex and confusing for customers. For large customers such as universities, a two-tiered system would require extensive research and verification as to whether charges were properly calculated. In fact, end users would have little or no means of verifying whether they were charged properly.

We urge the Commission to adopt a system which provides incentives for IXC’s and LEC’s to automate this process to the greatest extent possible, and in so doing minimize the cost to end users. Therefore, we would support the creation of a single safe harbor, based on the cost of an automated PIC change process. We believe that this safe harbor should be substantially lower than the current amount of \$5.00, reflecting the considerable cost savings in automated processing.

III. THE COMMISSION SHOULD CONSIDER ASSESSING PIC CHANGE CHARGES ON IXC’S RATHER THAN END USERS.

In addition, we ask the Commission to consider the benefits to end users of assessing PIC change charges on the newly-selected IXC, rather than the end user. If IXCs were required to pay any PIC change charge, it would provide a disincentive to unauthorized changes to the presubscribed interexchange carrier (“slamming”).

IV. PIC FREEZE CHARGES WOULD IMPOSE AN UNREASONABLE COST BURDEN ON CONSUMERS, FOR A BASIC CONSUMER PROTECTION TO SELECT THEIR OWN LONG DISTANCE CARRIER.

Finally, we strongly urge the Commission not to impose a “PIC Freeze” charge on end users. The very nature of college and university telecommunications systems requires that most utilize PIC freezes in order to avoid unauthorized changes of long distance carrier. However, for the typical university customer with 10,000 lines, a charge of even \$1.00 per line (either one time or on a monthly basis) for maintaining a PIC freeze would create tremendous costs. The PIC freeze is an essential consumer-protection tool which helps control intentional or unintentional slamming. It is primarily an automated process, and both LECs and large customers such as universities have found it to be a very useful and low-cost method of preventing the much higher costs (in time and money) of correcting unauthorized changes.

In addition, carriers provide PIC freeze services to protect their own interests as much as the interests of customers. The prevention of unauthorized changes of long distance carrier helps to prevent complaints to regulatory agencies, and saves carriers considerable staff time and administrative workload in researching and resolving customer complaints. This only underscores that the inappropriateness of assessing end-user charges for PIC freezes on consumers.

V. SUMMARY

ACUTA respectfully urges the Commission to reduce the “safe harbor” for PIC change charges from its current level of \$5.00. We ask the Commission to adopt a rule limiting the number of PIC change charges for Centrex customers to the number of trunks, rather than individual lines, used by that customer. We urge the Commission to adopt a system which

provides incentives to automate the PIC change process, and we support the creation of a single safe harbor, based on the cost of an automated PIC change. We ask the Commission to consider assessing PIC change charges on the newly-selected IXC, rather than the end user. Finally, we strongly urge the Commission not to impose a “PIC Freeze” charge on end users.

ACUTA appreciates the opportunity to comment on these matters.

Respectfully submitted,

By: /s/ Walter Czerniak

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Education

June 10, 2004